



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR
DIVISION OF OCCUPATIONAL SAFETY

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INFORMATIONAL BULLETIN CHECKLIST FOR SELECTING DELEADER CONTRACTOR

Once a determination is made to delead your property, how do you determine whether a deleader-contractor is qualified to safely perform the task? While there are many well-qualified, experienced and conscientious contractors performing this important and potentially hazardous work, there are, unfortunately, contractors who are neither experienced nor capable of safely removing lead from residences.

At a minimum, prospective contractors must be licensed by the Division of Occupational Safety (DOS). This license ensures that the contractor has attended an approved deleading training course and is routinely monitored by DOS inspectors for safe work practices. A license alone does not ensure the quality of work. When selecting a deleader contractor, it is suggested that you get at least four (4) or five (5) estimates before you make your selection. The following checklist is offered as a guideline to consider when selecting a contractor:

1. Contractor **MUST** submit evidence of licensure (i.e. a license issued by the DOS with the contractors photo, license number and expiration date on the front.)
2. Contractor **MUST** submit evidence that the job supervisor and worker have attended a deleading training course. The supervisor/worker should also produce a license issued by the DOS.
3. Contractor **MUST** submit proof of a workers compensation policy if he/she has employees.
4. Contractor **MUST** submit to the owner and tenants a ten (10) day prior notification of deleading work. This notification should also be submitted to the Department of Public Health and the local Board of Health. You might want to verify this with the DOS, DPH and the Board of Health.
5. Contractor should submit a list of references of individuals who can attest to the quality of the contractor's work.
6. Contractor should submit a list of prior deleading contracts, including the names, addresses, and telephone numbers of building owners for whom the projects were performed.
7. Contractor should provide a description of any deleading projects which have been prematurely terminated, including the circumstances surrounding termination.
8. Contractor should provide a list of any contractual penalties which the contractor has paid for breach of contract, such as overruns of completion time or liquidated damages.
9. Contractor should identify any citations levied against him/her or the property owners by whom he was contracted, for violations related to his deleading work, including the name or location of the project, the date(s), and how the allegations were resolved.
10. Contractor should submit a description of all legal proceedings, lawsuits, or claims which have been filed or levied against the contractor or any of the contractor's past or present employees for deleading related activities.
11. The contractor violation history and license status can be verified by calling the Division of Occupational Safety.
12. Check with your local Board of Health for information regarding the contractor you may select.
13. The homeowner should always have/demand a written contract with the deleader contractor. Suggest payments made to the contractor be in three (3) installments:
 - A. 1/3 as a down payment
 - B. 1/3 when the job is completed
 - C. 1/3 after the owner receives the Letter of Compliance
14. The written contract should be specific as to the start date and completion date. If the contractor exceeds the completion date, use a daily penalty clause from monies owed to the contractor. (example: 2/3 or 1/3 of the job remaining, contractor is late on end date, \$100.00 per day times the number of late days)

**THIS CHECKLIST SHOULD ONLY BE USED AS A GUIDELINE TO HELP IN THE SELECTION OF
A LICENSED QUALIFIED DELEADER CONTRACTOR AND BY NO MEANS SHOULD BE USED
AS THE ONLY SELECTION PROCESS OF A DELEADER-CONTRACTOR.**